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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,875	03/26/2004	Sandeep Relan	15488US01	9842
23446	7590	02/27/2006	EXAMINER	
MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661			SAMS, MATTHEW C	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/810,875

Applicant(s)

RELAN ET AL.

Examiner

Matthew C. Sams

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawing were completed by hand. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-8, 12-15, and 19-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Chetty (US 2002/0052193).

Regarding claim 1, Chetty teaches a mobile terminal (Fig. 2 [150]) comprising a non-volatile memory for storing information for one or more accounts (Fig. 3 [250, 251 & 252], Page 1 [0021] and Page 2 [0031]), a control panel for providing inputs (Fig. 2 [220]), an output (Fig. 2 [200] and Page 2 [0029]) for providing the account information after the control panel provides a certain input. (Page 2 [0032] and Page 4 [0052])

Regarding claim 2, Chetty teaches the output comprises a transceiver. (Page 3 [0034] and Fig. 3 [260])

Regarding claim 3, Chetty teaches the information stored in the non-volatile memory is encrypted. (Page 2 [0031-0032] and Page 3 [0040])

Regarding claim 4, Chetty teaches the output comprises an interface port. (Fig. 3 [280])

Regarding claim 5, Chetty teaches the interface port comprises an infrared signal transmitter. (Page 1 [0022] and Page 3 [0043])

Regarding claim 6, Chetty teaches the interface port comprises a transmitter for any standard point-to-point transmitter. (Page 1 [0022])

Regarding claim 7, Chetty teaches the non-volatile memory stores a plurality of instructions including receiving a command and the information for one or more accounts (Page 5 [0065]), storing the information for one or more accounts after receiving the command (Page 6 [0066] through Page 7 [0071]) and wherein the mobile terminal further comprises a controller for executing the instructions. (Fig. 3 [240])

Regarding claim 8, Chetty teaches the command and the information for one or more accounts is received during a phone call. (Page 5 [0063-0065])

Regarding claim 12, Chetty teaches a method of providing credit by receiving an application for an account and an identifier for identifying a mobile terminal (Page 5 [0058]), establishing an account, and transmitting information about the account to the mobile terminal identified by the identifier. (Page 2 [0025] and Page 4 [0050] through Page 5 [0060])

Regarding claim 13, Chetty teaches the identifier is a phone number. (Pages 5 & 6 [0066])

Regarding claim 14, Chetty teaches the identifier comprises a MAC address. (Page 5 [0065])

Regarding claim 15, Chetty teaches that transmitting the information about the account to the mobile terminal comprises placing an outgoing phone call to the mobile terminal. (Pages 5 & 6 [0066] and Fig. 13 [1352])

Regarding claim 19, Chetty teaches the identifier is a packet network address. (Pages 5 & 6 [0066])

Regarding claim 20, Chetty teaches addressing the information about the account to the packet network address. (Pages 5 & 6 [0066])

Regarding claim 21, Chetty teaches transmitting a graphical user interface for display on the mobile terminal. (Page 3 [0039], [0044] and Page 5 [0063-0064])

Regarding claim 22, Chetty teaches storing receipts of transaction history and account status. (Pages 7-8 [0085])

Regarding claim 23, the limitations of claim 23 are rejected as being the same reasons set forth above in claim 12.

Regarding claim 24, the limitations of claim 24 are rejected as being the same reasons set forth above in claim 13.

Regarding claim 25, the limitations of claim 25 are rejected as being the same reasons set forth above in claim 14.

Regarding claim 26, the limitations of claim 26 are rejected as being the same reasons set forth above in claim 19.

Regarding claim 27, the limitations of claim 27 are rejected as being the same reasons set forth above in claim 15.

Regarding claim 28, the limitations of claim 28 are rejected as being the same reason set forth above in claim 20.

Regarding claim 29, the limitations of claim 29 are rejected as being the same reasons set forth above in claim 21.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 9-11 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chetty in view of Davis et al. (US-6,311,167 hereafter, Davis).

Regarding claim 9, Chetty teaches the commands and information about the accounts is received wirelessly, but differs from the claimed invention by not explicitly reciting the commands and information are received over a paging channel.

In an analogous art, Davis teaches a portable two-way wireless financial messaging unit that includes receiving secure information through a paging channel. (Col. 19 lines 18-27 and Fig. 11) At the time the invention was made, it would have

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been obvious to one of ordinary skill in the art to implement the invention of Chetty after modifying it to communicate through a paging channel as incorporated from Davis. One of ordinary skill in the art would have been motivated to do this since paging hardware can be incorporated into cellular telephones and the backend for transmitting pages has already been built. (Col. 1 line 65 through Col. 2 line 19)

Regarding claim 10, Chetty in view of Davis teaches the paging channel is secure. (Davis Col. 2 lines 53-67 and Col. 19 lines 18-27)

Regarding claim 11, Chetty in view of Davis teaches the mobile terminal is operable to provide the information about one or more of the accounts over a secure paging channel. (Davis Col. 2 lines 32-67)

Regarding claim 16, the limitations of claim 16 are rejected as the same reason set forth above in claim 9.

Regarding claim 17, the limitations of claim 17 are rejected as the same reason set forth above in claim 10.

Regarding claim 18, Chetty in view of Davis teaches the paging channel is secured with Public Key Cryptography. (Davis Col. 2 lines 53-67 and Davis Page 2 "Standard for RSA, Diffie-Hellman & Related Public-Key Cryptography")

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US 2003/0181201 to Bomze et al. regarding a mobile communication device for electronic commerce.

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- US 2004/0029569 to Khan et al. regarding a micropayment financial transaction process utilizing wireless network processing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew C. Sams whose telephone number is (571)272-8099. The examiner can normally be reached on M-F 7:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MCS
2/15/2006


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